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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/734,324	12/01/2000	Robert P. Enns	Juniper-10 (JNP-0044)	3838

26479 7590 04/22/2004

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EXAMINER

DUONG, THOMAS

ART UNIT	PAPER NUMBER
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2143

DATE MAILED: 04/22/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/734,324

Applicant(s)

ENNS, ROBERT P.

Examiner

Thomas Duong

Art Unit

2143

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 December 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-26 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 July 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>4</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Drawings

1. The drawings are objected to under 37 CFR 1.83(a) because they fail to show *figures 1, 3, 5, 8, 10-12, 13a, 13c-d, 14, 15a-d, 15f-g, 15i, 15k, 16a-c, 18 and 20* as described in the specification. Any structural detail that is essential for a proper understanding of the disclosed invention should be shown in the drawing.

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

2. Applicant is reminded of the proper content of an abstract of the disclosure. A patent abstract is a concise statement of the technical disclosure of the patent and should include that which is new in the art to which the invention pertains. If the patent is of a basic nature, the entire technical disclosure may be new in the art, and the abstract should be directed to the entire disclosure. If the patent is in the nature of an improvement in an old apparatus, process, product, or composition, the abstract should include the technical disclosure of the improvement. In certain patents, particularly those for compounds and compositions, wherein the process for making and/or the use thereof are not obvious, the abstract should set forth a process for making and/or use thereof. If the new technical disclosure involves modifications or alternatives, the abstract should mention by way of example the preferred modification or alternative.

The abstract should not refer to purported merits or speculative applications of the invention and should not compare the invention with the prior art.

Where applicable, the abstract should include the following:

- (1) if a machine or apparatus, its organization and operation;
- (2) if an article, its method of making;
- (3) if a chemical compound, its identity and use;
- (4) if a mixture, its ingredients;
- (5) if a process, the steps.

Extensive mechanical and design details of apparatus should not be given.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-26 are rejected under 35 U.S.C. 102(e) as being anticipated by Malik et al. (US006349306B1).
5. With regard to claims 1, 12-14 and 21-26, Malik reference discloses,
- a) *accepting at least a part of a selected one of at least one set of configuration information for a data forwarding device;* (Malik, col.1, lines 22-27; col.4, lines 1-

3; col.9, lines 20-25; fig.1; Malik teaches retrieving/capturing the current actual configuration from a network device such as a router)

- *b) accepting at least a part of a set of candidate configuration information for the data forwarding device; and* (Malik, col.4, lines 1-3; col.5, line 54; col.9, lines 20-25; fig.1; Malik teaches using the user created/edited configuration for comparison)
- *c) determining differences, if any, between*
 - *the at least the part of the set of candidate configuration information for the data forwarding device, and*
 - *the at least the part of the selected one of the at least one set of configuration information for the data forwarding device.* (Malik, col.4, lines 1-3; col.5, line 57; col.9, lines 20-25; fig.1; Malik teaches using the user created/edited configuration for comparison with the current actual configuration from a network device such as a router)

6. With regard to claims 2-3, Malik reference discloses the invention substantially as claimed,

See *claim 1* rejection as detailed above.

Furthermore, Malik reference discloses,

- *wherein the selected one of at least one set of configuration information for a data forwarding device is a most recently committed set of configuration information for the data forwarding device.* (Malik, col.9, lines 20-25; Malik teaches using the user created/edited configuration for comparison with the current actual configuration from a network device such as a router)

7. With regard to claims 4-9 and 15-18, Malik reference discloses the invention substantially as claimed,

See *claim 1* rejection as detailed above.

Furthermore, *claims 4-9 and 15-18* describe the act of editing a network device's configuration (i.e. a router's configuration). This is well known to one of ordinary skill in the art at the time the invention was made.

8. With regard to claims 10-11 and 19-20, Malik reference discloses the invention substantially as claimed,

See *claim 1* rejection as detailed above.

Furthermore, Malik reference discloses,

- *wherein the act of accepting at least a part of a selected one of at least one set of configuration information for a data forwarding device is performed by accessing a storage device of the data forwarding device, (Malik, col.3, lines 54-62; col.4, lines 1-3; col.9, lines 20-25)*
- *wherein the act of accepting at least a part of a set of candidate configuration information for the data forwarding device is performed by accessing a storage device of the data forwarding device; and (Malik, col.3, lines 54-62; col.4, lines 1-3; col.9, lines 20-25)*
- *wherein the act of determining differences, if any, between*
 - *the at least the part of the set of candidate configuration information for the data forwarding device, and*
 - *the at least the part of the selected one of the at least one set of configuration information for the data forwarding device, is performed by a component of the data forwarding device (Malik, col.4, lines 1-3; col.5, line 57; col.9, lines*

20-25; fig.1; Malik teaches using the user created/edited configuration for comparison with the current actual configuration from a network device such as a router)

Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

- Blumenau et al. (US006240511B1)
- Yinger et al. (US005960204A)
- Kirouac et al. (US005155847A)
- Nonaka et al. (US005619716A)


10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas Duong whose telephone number is 703/305-1886. The examiner can normally be reached on M-F 7:30AM - 4:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David A Wiley can be reached on 703/308-5221. The fax phone numbers for the organization where this application or proceeding is assigned are 703/872-9306 for regular communications and 703/872-9306 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703/305-3900.

Thomas Duong (AU2143)

April 13, 2004


DAVID WILEY
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100